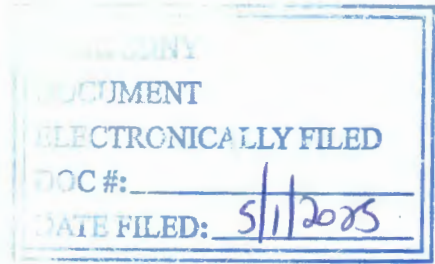


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



_____X
SOFIA MAAYAH,

Plaintiff,

-against-

24 Civ. 4731 (CM)(SLC)

FAREVA USA, INC., et al.,

Defendants.
_____X

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION THAT THE COMPLAINT BE
DISMISSED WITHOUT LEAVE TO AMEND FURTHER

McMahon, J.:

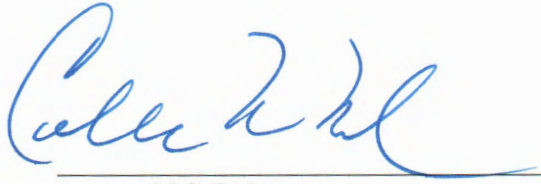
Before the court is a Report and Recommendation from The Hon. Sarah L. Cave, U.S.M.J., recommending that certain pending motions to dismiss the Complaint and the Proposed Amended Complaint be granted, and that leave to amend further be denied. The Report was filed on March 21, 2025. (Dkt. #43). The Report clearly advises – in bolded capital letters -- that the failure to object within 14 days (the last day for filing objections was Friday, April 4) will result in a waiver of the right to object and will preclude appellate review. No objections have been received and neither party has asked the court for additional time to file objections. It is now the 41st day after the filing of the Report. Therefore, I conclude that neither side has any objections to the recommendations contained in the Report.

Nonetheless, because the Report recommends dismissal of Plaintiff's claims against Defendants Defendants Fareva USA, Inc., Chromavis USA, Inc. and Thibault Fraisse,¹ I have reviewed it carefully. The learned Magistrate Judge gave the Plaintiff the benefit at every turn – most notably by addressing the Motion to Dismiss, which was originally filed against the original Complaint (Dkt. #1), to the Proposed Amended Complaint – a complaint that was filed with the benefit of having seen the arguments made against the original pleading. (Dkt. # 39). I perceive no problem with her reasoning, and Plaintiff, by failing to file objections, has pointed to none.

¹ The claims against individual defendants Angelina Morayama and Alexander Daniellot were effectively dismissed without prejudice some months ago due to Plaintiff's failure to serve them with process. Dkt. #34 (Report and Recommendation dated October 25, 2024, to which no objection was lodged despite receipt of the warning that the failure to do so would result in a waiver). To the extent necessary, I accept and adopt the unopposed Recommendation that the claims against these defendants be dismissed without prejudice as recommended by Judge Cave's October 25, 2024 Report.

For that reason I accept the unopposed Recommendations and adopt the Report as the opinion of the Court and direct that the Clerk of Court mark as GRANTED the motions to dismiss at Dockets #21 and 37, as DENIED the motion for leave to amend at Docket #30. The Clerk should remove those motions from the court's list of open motions and close this case.

Dated: May 1, 2025



U.S.D.J.